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UNITED STATES SECURITIES AND EXCHANGE COMMISSION **NEW YORK REGIONAL OFFICE**

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WRITER'S DIRECT DIAL LINE (212) 336-0171

February 4, 2019

BY ECF

Honorable Andrew L. Carter, Jr. United States District Court Southern District of New York 40 Foley Square, Room 435 New York, NY 10007

> Securities and Exchange Commission v. Thompson, et al., 14-cv-9126 (ALC) Re:

Dear Judge Carter,

We write to request a slight modification to the briefing schedule with respect to Plaintiff Securities and Exchange Commission's motion for partial summary judgment against defendant Anthony Thompson, set down in the Court's order of January 8, 2019. The Commission's senior trial counsel assigned to this matter is unexpectedly unavailable for part of this week due to the death of a close family member over the weekend. Accordingly, we request that the briefing schedule be modified, with all dates pushed back one week. If approved, the following schedule would apply:

Plaintiff's Motion for Partial Summary Judgment:

February 15, 2019

Defendant's Response to Plaintiff's Motion:

March 8, 2019

Plaintiff's Reply to Defendant's Response:

March 15, 2019

We appreciate the Court's consideration of this request. Counsel for defendants Thompson and Jay Fung and relief defendant Kendall Thompson have advised us that they have no objection to the revised schedule. Defendant Eric Van Nguyen and relief defendant John Babikian have not appeared in this action.

Respectfully submitted

Thomas P. Smith, Jr. (212) 336-0171

Smithth@sec.gov

Maranda Fritz, Esq. (via ECF) cc: James Sallah, Esq. (via ECF) Roland Riopelle, Esq. (via ECF)

ONORDERED:

ON. ANDREW L. CARTER, JR. **UNITED STATES DISTRICT JUDGE**

Fcb. 5, 2019